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CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

AAI RECOVERIES, INC.,

Plaintiff,

v.

G & G LUMBER CORP., et al.

Defendants.

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CIVIL NO. 98-1708 (DRD)

ORDER FOR PARTIAL EXECUTION OF JUDGMENT  
ON CERTAIN REAL PROPERTY AND FOR  
APPOINTMENT OF SPECIAL MASTER

WHEREAS, on July 15, 1999, this Court entered judgment ORDERING, ADJUDGING AND DECREERING that plaintiff, AAI Recoveries, Inc. (AAI) have and recover from defendants Gerardo Pérez Menéndez, also known as Gerardo and Ana Lucila Garcia, *in solido* with defendant G & G Lumber Corp., the aggregate amount of \$231,344.40 of principal and interest accrued to June 30, 1999, interest from July 1, 1999, to the date of entry of this judgment at the rate of \$29.36 per day, plus judgment interest on the outstanding aggregate balance of this judgment from the date of entry hereof, at the rate of 4.727%, to be compounded annually on the anniversary date of the judgment (hereinafter, the "Judgment").

WHEREAS, the Judgment was entered on docket on July 19, 1999.

WHEREAS, AAI has moved for an order directing the partial execution of the Judgment against a certain real property of Pérez and García described below.

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**WHEREAS**, it appears from the record and from AAI's motion that the Judgment is now final and that execution thereof has not been stayed.

**WHEREAS**, the unpaid amount of the Judgment, including post-judgment interest up to January 29, 2001, aggregates the sum of \$248,934.59, and that interest continues to accrue after January 29, 2001, at the rate of \$31.4525 per day until the next anniversary date of the judgment, July 19, 2001.

**IT IS NOW ORDERED THAT:**

1. The Judgment be executed by the public sale, to the highest bidder, of the interest of Pérez and García on the real property identified as apartment number 401-B of Condominio Parque El Señorial, pending recordation at Section V of San Juan of the Property Registry of Puerto Rico, which property is described in the Spanish language as follows:

URBANA: Propiedad Horizontal: Apartamento residencial identificado con el #B-401 localizado en la 4ta. planta del Edificio B del Condominio Parque El Señorial, sito en la Avenida Winston Churchill del Barrio Monacillos y Cupey del Termino Municipal de San Juan (Río Piedras) Puerto Rico el cual tiene una cabida superficial de 1534.11 pies cuadrados, equivalentes a 142.58 metros cuadrados, distribuidos en dos plantas o niveles en lindes en su primera planta o nivel; por el NORTE, en 29'5½" con elemento exterior; SUR, en 29'5½" con el pasillo y el elemento exterior; ESTE, en 46'8" con la pared medianera del apartamento B-402, el pasillo y el elemento exterior; OESTE, en 50'6" con la pared medianera del apartamento A-402 y el elemento exterior y en lindes en su segunda planta o nivel por el NORTE; en 18'1 " con el elemento exterior. SUR, en 18'1" con la azotea del edificio B; ESTE, en 23' 10" con la pared medianera del apartamento B-401; OESTE, en 23'10" con el elemento exterior y la azotea del edificio B. Consta este apartamento de sala-comedor, cocina, lavandería, tres dormitorios, dos servicios sanitarios, jardinera y escaleras que dan acceso a su segunda planta o nivel donde tiene una terraza parcialmente techada. La puerta de entrada a este apartamento se encuentra localizada en su colindancia Este.

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2. Eduardo René Estades, Esquire, is hereby designated and appointed as Special Master to conduct the sale hereinbefore ordered.

3. The sale of the real property shall be held in accordance with the procedure for execution of judgment as provided by Rule 69 of the Federal Rules of Civil Procedure and Rule 51 of the Puerto Rico Rules of Civil Procedure.

4. Notices of the sale of the real property issued by the Special Master shall be published once a week for at least four (4) weeks, prior to the date of the sale, in a newspaper printed regularly and having a general circulation in Puerto Rico.

5. There shall be no minimum bid amount for the sale of the real property.

6. The Special Master at the sale shall accept in payment of the real property to be sold only United States currency or certified or bank checks, except in the case the real property is sold and adjudicated to AAI, in which case the amount of the bid made by AAI shall be credited and deducted from its judgment credit, AAI being bound to pay in cash or certified or bank check only any excess of its bid over the judgment indebtedness then remaining unsatisfied.

7. The Special Master may, either personally or by some person designated by him to act in his name and by his authority, adjourn the sale from time to time without further publication.

8. Upon the confirmation by this Court of the sale of the real property encumbered with the prejudgment attachment, the Special Master shall execute and deliver a deed of conveyance of the real property sold to the purchaser therefor.

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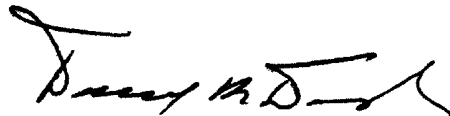
9. So that the successful bidder may be able to take material possession of the property once it is sold, this Court orders the defendants and/or any other person having the possession, custody, or occupying the property to be sold, to deliver the physical possession of the property within twenty (20) days from the date of the sale.

10. In the event that defendant(s) and/or any other person having the possession, custody, or occupying the property to be sold, fail to deliver the physical possession of the property within twenty (20) days from the date of the sale to the successful bidder, the Court orders the marshal of this court to evict said occupants without need of further order of this Court.

11. The Clerk of the Court shall issue a Writ of Execution of Judgment in conformance with this order.

**SO ORDERED.**

DATED: January 31, 2001.



DANIEL R. DOMÍNGUEZ  
U.S. DISTRICT JUDGE